

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF NEW MEXICO**

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AMANDA MORALES,

Plaintiff,

v.

No. 1:21-cv-01044-KWR-JHR

SUPREME MAINTENANCE INC., WADE HUNT,  
and GLORIA SANCHEZ,

Defendants.

**ORDER**

**THIS MATTER** comes before the Court upon Defendants' Motion to Dismiss Counts I, II, IV, XI, XII, XIII, and XIV With Prejudice (**Doc. 43**), filed July 28, 2022. Plaintiff Amanda Morales, proceeding *pro se*, filed a 14-count civil rights and discrimination complaint against her employer in state court. Defendants removed this case to federal court, and on May 2, 2022, Defendants moved to dismiss the complaint for failure to state a claim. **Doc. 32**. On June 24, 2022, the Court granted Defendants' motion in part. The Court declined to dismiss Counts VI, VIII, and IX/X.<sup>1</sup> The Court, however, dismissed with prejudice Counts III, V, and VII, and dismissed Counts I, II, IV, XI, XII, XIII, and XIV without prejudice and with leave to amend. **Doc. 38**. Plaintiff was granted leave to file an amended complaint within thirty days entry of the order.

Here, it is now more than thirty days since the Court entered its order of dismissal with leave to amend. Plaintiff has not filed an amended complaint or responded to the Court's order, nor did Plaintiff request an extension. Plaintiff was warned that the failure to timely file an

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<sup>1</sup> The Court construed Counts IX and X as one claim. See **Doc. 38, at 16**.

amended complaint may result in the dismissal of those counts with prejudice and without further notice. **Doc. 38, at 19.** Therefore, the Court shall **DISMISS** Counts I, II, IV, XI, XII, XIII, and XIV **WITH PREJUDICE.**

**IT IS ORDERED** that Defendants' Motion to Dismiss (**Doc. 43**) is **GRANTED.**

**IT IS SO ORDERED.**



**KEA W. RIGGS**  
**UNITED STATES DISTRICT JUDGE**